Previous references. 1023. **File No.** 98-23
Mad.357-16-1-8 (Madurai) **Serial Nos.** 1-5

Later references. 24-1-4
201
Mad 45-31-(1+2)
LR 212-41 (1+2)

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 5

Part B for May 1924

SUBJECT

Appeal petition from Seyed Meer Sayed Shah Khadri praying for a stay order pending disposal of the appeal by Govt. re the appointment of a manager to Kesavanadu Dargh in the Tinnevelly Taluq—

No. 1582 dated 2.5.24. To the Madurai Commissioner

Forwards copy of the order passed by the Govt. the appeal being rejected.—

Muz 1] 1923.

MUZRAI SECRETARIAT.

(Muz.)

NOTES.

File No.

FILE HEADING

Appointment of a Manager to Kesarmada Darga in the Ahmednagar District.

From

Syed Peer Gayab Shah Khadri and others.

No Petition Dated 27.9.23 Received 28.9.23

Diary Nos 3946.3948 | Enclos. - | Spare Copies. - | Serial No 1

BRIEF ABSTRACT OF LETTER.

Appeal against the Muz. Comrs. order directing the removal of the appt. Syed Peer Gayab Shah Khadri from the Petrie office, and the appointment of the respdt. Syed [illegible]

NOTES AND ORDERS.

and pray for a stay order pending disposal of the appeal by Govt.

The petitions are duly stamped.

A copy of the Muz Comrs. order

NOTES—First Sheet

WD 0560—GPB—500—9 9 22

Serial No.

appealed against, has been produced. The Muz. Comr's order & the Dy. Comr's is dated 16.6.1923, while the appeal petition has received on 28.9.1923. Calculating the time taken for the preparation of the copy etc, the appeal seems to be in time.

2 The grounds are summarized in the petition. A Stay

3 The Muz. Comr has sanctioned a Scheme for the management better of the institution according to which the respdt has been appointed to manage the lands on the recommendation of the Dy Comr. The Muz Comr has also sanctioned a Scale of expr for worship etc. in the Dargah.

4 The 2nd member of Committee

WD 0361—GPB—3750—1 8 22

Muzrai Secretariat | Muz. File No. of 192 3

Serial No.

as the Dy. Com?, of Mankur Divn, has heard the case in connection with the dispute relative to the conduct of Puja and etc. in the Durga in question. (Vide Para 26 in the office note of Muz. F. No. 315-16 L. put up).

Submitted.

1-10-23.

1/10/23

5) If Bo see. the point of limit at which the order was communicated with parties is necessary, and the receipt of the records has to be awaited.

2). The records may be called for the disposal of the case.

3) Put the file in new submitted for orders with reg. to para 6 (letter regarding) of the appeal petition after for a stay order.

1.10.23.

b) Records may be called for stay order in case

13/10

13/10

Reg. Srey).

1.10.23.

NOTE—Contn. sheet

WD 0861—GPB—3750—1-8 22

29/1.10.23.

Muzrai Secretariat

Muz. File No. 9 of 1923

Serial No	
	8) Ltr. Secretary. 17.11.23 10.30 9) Done 20.10.23.
2	No. 561 dt 24/10/23 from Comm. Calls for a document report
3.	From the Muzrai Comr. Letter no. C. 406 dt 3/12/1923 Reports that as the applicant was unfortunately on the appointment as Patel was contested by his elder brothers, he was removed from the management and that in his stead, Syed Mohadin Basha Sha Khadri [illegible]

NOTE—Contn. sheet

WD 0561—GPB—3750—1 8 22

General and Revenue Secretariat.

File No. 98 of 19 23

Serial No.

The Longest number of votes was appointed as manager.

10) The Junkuri Dy Comr Mr Md. Zahiruddin reports Comr Dy 16th April 1923 goes fully into the facts of the case.

11) The grounds for appeal are summarized in the petition the apet complains that his brother is against him, that he is unpopular is false, and that his family has been managing the affairs for upwards of 200 years.

12) May the appeal be posted for hearing?

Submitd. for orders.

17/11/23 17/11/23

13) please ndi (1) whether a formal Enquiry was necessary under the Law (2). Whether appt by Dy Comr is recognized by law

26/11/23

14) Regarding q. no (1), it is submitted

NOTE—Contn. sheet.

General and Revenue Secretariat.

File No. 98 of 1923

Serial No.

Para 4 of D.O's letter no. C.645 dt 19.4.23 RR 6

A (Appeal petition).

that The Dy. Comr reports that The 1st apltt was appointed Patel by Govt and has been attending to The affairs of the Danga and other duties in The village. The apltt contends that his family has been managing the affairs for upwards of 200 years, and if there is truth in his contention, a formal enquiry is necessary for his removal. If directed, The Asst. Comr will be asked to report if The appointment complained of by The apltt, is hereditary.

Re Q. no 2, Appointment by Lot is not recognized by Law.

Submitted

NOTE—Contn. sheet.

11.1.24

Muzrai Secretariat

Muz. File No. 98 of 1923.

Serial No.

From, The Asst. Comr.

Letter no. C.406 dy 3-1-24.

Forwarded in Contn. of Sl. 3,

The Inamdar Dy. Commissioner's

Comn. regarding the recovery of

Kandayam from the Hissedars,

who are in possession and

enjoyment of Land attached

to the Darga.

15) Submitted.

M

Dy. 1-24

8.1.24

16) The village of Kesamadu in

Inamdar Taluk has been given as

Dravadaya Inam to Darga in the

same village. ~~The Inamdar found, the~~

~~management of the Darga under well as the~~

~~Govt. 1906.~~ owing to the mismanagement

of the village, the management of the Darga

as well as endowments was taken over

under Govt. in 1906.

Hag

NOTE—Contn. sheet

WD 0561—GPB—3750—1-S.22

Muzrai Secretariat | Muz. File No. 96 of 192

Serial No.

17) v. (on Syed Peer Gyeb Shah Khadri (1a appellant) one
Shri descendant of original Saint ~~Last~~
was appointed as Patel of the village, and appears
to have been managing the affairs of the Darga
also Ever since. Surveys & settlement ops was
introduced into the village, and as such the
holders of lands, including the members of
the Mallandari family have to pay Assessment to Govt.

18) 3. On a Complaint that the Patel
was not doing his work satisfactorily, and was
of the village did not like same, the Dy Com
went to the village in person, and finding
that the allegation was true, removed Syed
Peer Gyeb Shah Khadri from the office both
of Patel & Manager of Darga, and appointed
by taking his role, the respondent- Syed Mohad
Badshah Khadri both as Patel & manager
The matter came in appeal before the Asst
Com^r, who confirmed the order of the D.C
in so far as the Patel was concerned, and
said that the managership of the Darga
must be separated from the Patel, and
left the question as to that. He also ordered
that till assessment shall be recovered
from the lands in the possession of the [illegible]

WD 0561—GPB—3750—1 8 22

NOTE—Contn. sheet

General and Revenue Secretariat.

File No. 98 of 19 23

Serial No.

14) 4) The appellants ~~Assn to~~ have appealed to Govt against the order of the Muzrae Court with regard to the appointment of Manager ship (which infact is left an open question by the Muzrai Court), but perhaps they mean the Patelship, because since as well 1906 Patelship and managership of the Dargah have gone together, on vague grounds such as that the procedure was incorrect on that the hereditary preference has been overlooked. In the Muz Court has further in its order the reply of the D.C. about the pleas of the appellants that they should be allowed to continue in the enjoyment of lands without payment of assessment as before, ~~and that~~ subject to the payment of a reserve fund

20) 5) The points in consideration are

i The Patelship

ii The managership of the Dargah

iii The remission of assessment.

As regards the ii, as already stated the Muz Court has not passed any definite order, and he may perhaps be asked to constitute a Committee at once for the purpose

As regards i it may be stated that the appointment is not a hereditary one, but Govt

Serial No.

by Govt in 1906 for facility of Collection of revenue etc, and the Contention of the appellants does not stand. When the Srishylam was found incompetent transactions, the Court seems to have been right in appointing another, by whatever name of Sthanam, who was considered competent. The appeal, has therefore, perhaps, be dismissed.

21) As regards the question of assessment which is not a subject of the appeal, but one connected separately, it is to be noted that the village was given on behalf of the Devi and it must get the full income of the lands i.e. the full assessment. The lands in the village are held not only by the members of the original makandars' family but others also, & both have to be treated Equally as tenants, as soon as Govt. took over the management of the affairs of the temple. No Special Concession can be shown to the appellants.

22) 7. The Scale of Expenditure agreed to fixed in 1906 does not seem to have been strictly adhered to.

30/1/24.

2nd member)

779
30-1-24.

23) The case may be posted for hearing on the 4th or 5th proximo

2/2/24.

NOTE—Contn. sheet

General and Revenue Secretariat.

File No. 98 of 1923

Serial No.

24) Dft. notices ordered.

AH 7/3/24 BH 7/3/24

25) Issue

7.3.24.

26) Case called. Parties present

Rao. B N Vijayadeva & Shamanna for

the appellants & P N Narayanaiah &

for the respondents were present

& heard.

27) Order in appeals. - Hon'ble

Syed Fazlullah Shah Kadri & Syed Ahmed Badsha

Khadri and Hon'ble Syed Mohammad Shah Kadri

& Sayeed in case Syed Mohammad Badsha Khadri

in Regd Syed Mohammad Badsha Khadri

as manager of the Dargah in Kesarmadu

A perusal of the case records shows

that however the appellants were

respondents. ~~and~~ ~~and~~ and ~~and~~ the case

management ~~not~~ of the Dargah was after the lands

endowed to it. That is why even in earlier

the case is appeal the appellants

Dargah & Enfeoffment from the Inspectors

correspondence Regd name of the Dargah came

NOTE—Contn. sheet.

General and Revenue Secretariat.

File No. 98 of 1923

Serial No.

~~[illegible]~~ in which the D.C Sangli has asked for the opinion of this Court on the question of the management of the Dargah also whether this Court is sanctioned to a Committee management, pending settlement of certain proposals called for from the D.C. Sangli. Labour and it was however, in August month this appeal, whether it having no right to such the merits of it. Esp as it is with regard to an ad interim order passed by this Court on the report of the D.C which the opponents in appellants number of it & by for & him appointed. & accepts & have ~~[illegible]~~ for a person &c.

28) Thus so far as this Court is under S 15 A. Jan 23 agent which the present appeals have been preferred, & is concern, the appellants have no cause for complaint & their appeal be ~~[illegible]~~ be rejected -

29) It would seem, however & point out land as the lands belong to the Dargah an order for management it is not understood what is meant by appointing the any person & the management of the lands So the Jamadar

NOTE—Contn. sheet.

General and Revenue Secretariat. .

File No. 98 of 19

Serial No

[illegible] management of the lands vested in Govt. or Govt. departments & [illegible] the power of leasing out the lands [illegible] & the terms & conditions with which same is to be granted & the restrictions with which the Executive of the local Govt. is vested in regard thereto. This is being done & that the [illegible] work is not entrusted by it to any private individual. by this

[illegible] 14/4

30) DD. S. Order Govt.

M 21.4.24 21.4.24

31) Secretariat Despatch

26.6.24.

Rev. Secy

751 28.4.24 11. Govt.

28.6.24.

32) Do 28/4 [illegible] 29~

33) Issue 29.4.24.

5 To the Municipal Commissioner No. 15822 dt. 2.5.24. Copy of decision in Appeal No. 5 of '23-24 in the matter of the appeals of the Municipality to the above matter regarding the appeals.

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

2 Muzrai appeals posted for hearing on the 14th Monday, are put up

They will be sent as usual to the Member's Office.

AV 11/4/24 BL 11.4.24 11.4.24

Personal and to the 2nd member with Compts

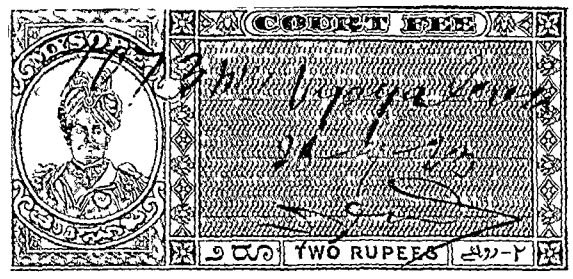
N B.—Should routine notes be written on small slips the notes must be copied, or slips pasted on this form

G. R. S. III—3]

ROUTINE NOTES.

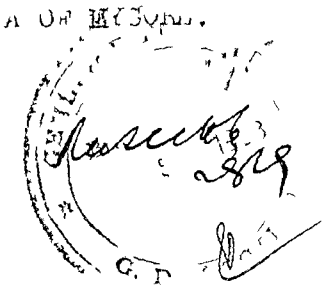
[To be used only for notes, requisitions, etc., not intended for permanent record]

N. B —Should routine notes be written on small sl ps the notes must be cipoed, or slips pasted on this form



BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

---:C:--



Muzrai Appeal No. of 1923-24.

Appellants:-

(1) Syed Peer Gyeh Shah Khadri,

(2) Syed Amir Badashah Khadri,

(Residing in Kesarnadu Village, Urudugere Hobli Tumkur Taluk).

Vs.

Respondent:-

Syed Mohadin Badshah Khadri, Kesarnadu Village, Urudugere Hobli, Tumkur Taluk.

Under Section 21 of the Muzrai Regulation, Appeal against the order of the Muzrai Commissioner in Mysore in Order No. C. 645 of 1922-23 dated the 16th June 1923 appointing the Respondent as Manager of Darga in Kesarnadu Village, Tumkur Taluk.

1. The learned Muzrai Commissioner erred in ordering the appointment of the Respondent as Manager on the recommendation of the Deputy Commissioner.

2. The proceedings of the Deputy Commissioner in the matter is irregular, illegal and ultra vires inasmuch as there was no seisin of the matter as there were no allegations made against the 1st appellant. There has been no enquiry held and no finding arrived at.

3. The Muzrai Commissioner had no material before him to pass the order under appeal.

4. The grounds for removal of the 1st appellant are neither adequate nor sound; that the brother of 1st appellant is against him and that he is unpopular is false.

5. The procedure adopted is not warranted in law.

6. The order of the Muzrai Commissioner appointing the Respondent as manager is illegal and unjust and inequitable ignoring the rights of the other members of the family including 2nd appellant who have go greater rights and which family has been managing the affairs for upwards of 200 years.

Wherefore the appellants pray that the order under appeal may be set aside and one of the appellants may be appointed manager and pending disposal of this appeal a stay order may be passed.

Bangalore
27-9-23

B. N. V. Dela
Counsel for Appellants.

Memo

The Petition with its enclosures is returned, as the Power is unstamped.

By order,

Asst. Secretary to Govt.
Rev. Dept.

at.

3. The Muzrai Commissioner had no material before him to pass the order under appeal.

4. The grounds for removal of the 1st appellant are neither adequate nor sound; that the brother of 1st appellant is against him and that he is unpopular is false.

5. The procedure adopted is not warranted in law.

6. The order of the Muzrai Commissioner appointing the Respondent as manager is illegal and unjust and inequitable ignoring the rights of the other members of the family including 2nd appellant who have got greater rights and which family has been managing the affairs for upwards of 200 years.

Wherefore the appellants pray that the order under appeal may be set aside and one of the appellants may be appointed manager and pending disposal of this appeal a stay order may be passed.

Bangalore
27-9-23

B. N. V. Dela.
Counsel for Appellants.

Memo

The Petition with its enclosures is returned, as the Power is unstamped.

By order,

2/10/23

Asst. Secretary to Govt.
Rev. Dept.

135

EIGHT ANNAS ೮ಆ-೮

Order of the Muzrai Commissioner in Mysore.

Reference:— Letter No. H. C. 38 of 21-22 dated the 16th April 1923 from the Deputy Commissioner, Tumkur District, reporting with records, on the petition of Syed Mohadin Shalchadri of Sowramanya Kesaramadu village, Tumkur Taluq, Complaining of the mismanagement of the affairs of the Dargah at the place and the inam village attached thereto by the present manager and praying that he may be appointed as manager.

Order No. C. 645 of 22-23. dated, Bangalore, one file. the 16th June 1923.

The Dargah and the village came under Government management in pursuance of G.O. No. 3109-10, Muz. F. 135-1892 dated 8-12-1906 and one Syed Peer Gyibe Shah Khadri who was appointed Patel is stated to have been attending to the affairs of the Dargah and other duties in the village.

2. The Deputy Commissioner has from personal enquiry during his visit to the village found that the present Patel Syed Peer Gyibe Shah Khadri

ointments as Patel has been contested by his own elder brother the petitioner is quite unpopular and disliked by the majority of the villagers and recommends his removal from the office, appointing in his stead one Syed Mohadin Badsha Khadri who out of the marginally noted five candidates for the place secured the largest number of votes.

3. These five candidates were personally heard, the 1st and 3rd being aided by Counsel as well. The management of the lands will be separated from that of the Darga and for the former Syed Mohadin Badsha Khadri, the Candidate who got the largest No of votes will as recommended by the Deputy Commissioner be appointed. As for the management of the Darga, a proper scale of expenditure for the daily worship, Urus etc, will be drawn up and strictly adhered to.

4. Full assessment will be levied on all the holdings in the village and out of the income provision made for a reserve fund for repairs etc; in addition to the Establishment and Paditara charges.

5. The Deputy Commissioner is requested to take necessary action in the matter and submit definite proposals early.

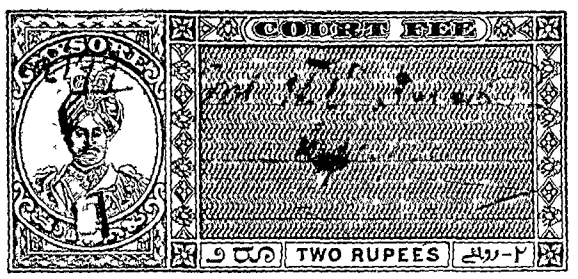
(Signed) K. Chandy.
Munsif Commissioner

To.
The Deputy Commissioner, Guntur District, returning the records received with his letter of the 6th April 1923.

"Copy"
Dadasaheb
for Munsif Commissioner 27/8/23

Syed Mohammed Sha Khadri
Syed Peer Sylie Sha Khadri
Syed Mohaiddin Badsha Khadri
Syed Hussain Badsha Khadri

Date of application 20.8.23 copied by B. Gramakrishna
Date when copy was ready 27.8.23 compared by A. Venkataramaiah
Date of delivery of stamps :- 7 8 25
No of words 339.
Amount 0-10-0 2-9-0
Less 0-1-0



In the Court of the Civil

Misc App. No 5 OF 1923 – 1924

Appellant, Plaintiff, Petitioner.		*Respondent, Defendant, Opponent.*
Syed Peer Ganaihakadi.	Vs.	Syed Mohiuddeen
Syed Amir 2nd Sahukar		Bada Sahukari

The Right above named do by these presents, retain

MR. H. V. NARAYANA RAO, B.A., LL.B.,
Advocate, High Court, Bombay and Chief Court, Mysore,

to appear and conduct the above case on my behalf to judgment.

I further empower him to execute any decree or order that may be passed in my behalf and to receive from the Court such sums of money as I may be entitled to get and grant receipts therefor.

Also undertake to confirm and ratify all the legal acts done by the said Advocate in so doing.

Syed Mohadeen
Bada Shahkadi

Personally known to me and signed in my presence.

192 .

Accepted.
H.V. Narayana Rao
Counsel for

13/4/24.

Before the Government of Mysore
In the Court of Murrai appeal of 23-24

Appellants
Syed Peer Jyeb Sha & Co. Respondents
Khadri Potters
Syed Moluddin Bhadha
Khadri.

VAKALATNAMA

executed by Appellants in favour of

Mr. B. N. VIJAYA DEVA, M.A., Barrister-at-law,
Advocate, High Court of Madras & Chief Court of Mysore.

I/we hereby empower the said advocate, in person or by proxy, on my/our behalf, to appear in, and conduct the above case as well as any proceedings arising out of and connected with the same, to compromise the same, and to do all such acts as may be proper and necessary for the due conduct thereof, including the signing and presentation in Court of the necessary petitions and papers.

And I/we further authorize the said advocate to receive and give receipts for, any money, document, or other moveable property, that is or may become, payable or deliverable to in the course of the said case or proceedings.

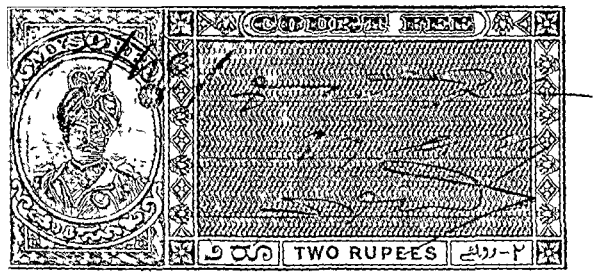
26-9- 1923

B. N. Vijaya Deva

I know the executant who has signed before me.

Accepted.

B. N. Vijaya Deva
26/9/23



REV. SECTT.
8 SEP 1923

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

-----:0:-----

GEN. & REV. SECRETARIAT.
28 SEP 1923
MUZRAI

Muzrai Appeal No. of 1923-24.

Appellant:-

Syed Mahomed Shah Khadri, residing in Kesarmadu Village, Urudugere Hobli, Tumkur Taluk.

Vs.

Respondent:-

Syed Mohadin Badashah Khadri, Kesarmadu Village, Urudugere Hobli, Tumcur Taluk.

Under Section 21 of the Muzrai Regulation Appeal against the order of the Muzrai Commissioner in Mysore in Order No. C. 645 of 1922-23 dated the 16th June 1923 appointing the Respondent as Manager of Dargah in Kesarmadu Village, Tumkur Taluk.

1. The learned Muzrai Commissioner erred in ordering the appointment of the Respondent as Manager on the recommendation of the Deputy Commissioner who has ~~&&n~~ proceeded on a misapprehension of facts.

2. The proceedings of the Deputy Commissioner in the matter is irregular, illegal and ultra vires inasmuch as there was no seisin of the matter as there were no allegations made against the 1st appellant. There has been no enquiry held and no finding arrived at.

(3) The Muzrai Commissioner had no material before him to pass the order under appeal.

(4) The grounds for removal ~~are~~ of the members of the appellant's family are neither adequate nor sound: That he is opposed to his brother Syed Peer Gyeb Shah Khadri who is said to be unpopular is false.

(5) The procedure adopted is not warranted in law.

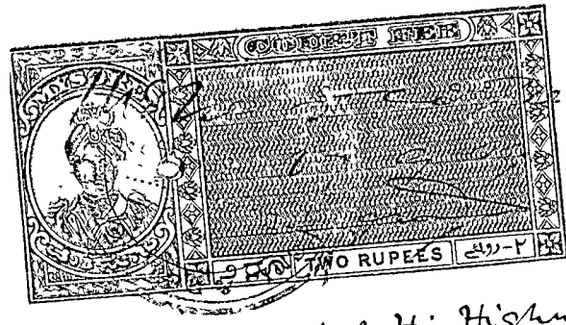
(6) The order of the Muzrai Commissioner appointing the Respondent as Manager is illegal and unjust and inequitable ignoring the rights of the other members of the family who have greater rights and which family has been managing the affairs for upwards of 200 years.

Wherefore, the appellant prays that the order under appeal may be set aside and ~~one~~ of the appellants may be appointed Manager and pending disposal of this appeal a stay order may be passed.

The copy of the order filed with the connected appeal may kindly be perused. Separate copy, if necessary, will be filed.

Bangalore
27-9-23

Advocate for Appellant.



~~ಕೋರ್ಟ್ ಫೀ~~ ಕ್ರ.

Before the Government of His Highness the Maharaja of Mysore, Bangalore.

ನಂಬರು.

1923 – 24 ನೇ

~~ಪಾರ್ಟಿ~~ಯಾ ಅರ್ಜೀದಾರ್.

ಪ್ರತಿವಾದಿ ಯಾ ಅಪೋನೆಂಟ್.

Syed Mohamad Sha Khadri ... V. S. ... Syed Mahadeen Bhad Sha Khadri

ವಮಾ ರಾ ... K. Shamanna B.A. L.L.B ... ಗೆ.

Syed Mahamed Sha Khadri

ಬರಸಿಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಪೈರುವರಿಎಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ಜರುಗಿಸುವುದಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ, ಡಿಕ್ರಿಯನ್ನೂ, ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣ ವಸೂಲು ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ನಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು ಸಹ ಪಡಿಯಲಿಕ್ಕೂ, ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡಿಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ನಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋ ಸ್ಕರ ಮತ್ಯಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದ್ದೇನೆ.

ತಾರೀಖು 27. 9. 1923. ರುಜು

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ತರಾಗಿ ಸಮಕ್ಷಮ ರುಜುಮಾಡಿರುತ್ತಾರೆ.

Konanur Shamanna
Advocate

ಈ ಮೊಖ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇದ್ದೇನೆ.

Konanur Shamanna
Advocate

ಕಾಸಿಕ್ಕುವ ವಸ್ಥಳ:—ಬೆಂಗಳೂರು ಸಿಟಿ ಜಿಕ್ಕಪೇಟೆ ವಿದ್ಯಾಸಾಗರ ಬುಕ್ಕುಡಿಪೋ, ಬಿ. ನರಸಿಂಹಯ್ಯಂಗಾರ್ರವರಲ್ಲಿ ದೊರಿಯುತ್ತೆ.

Muz 4]

2 DKS

SUBJECT .....

.....

.....

Diary No. of letter replied to _____

Section Muz

File No. 95-15

Serial No. [illegible]

Muzrai Secretariat

( )

the 192 .

No 561

Siva

To

10.23

The Muz. Comr

Amaravati,

I am directed to forward herewith for a detailed report his recent petitions Nos. 34 and 395 from Syed Peer Ghaffar Shah Khadri and Mrs. applicating a grant over [illegible]

over.

directing the removal of
the appellant from the
Patel's office pertaining to
the inam lands enclosed to
Kesarmadu Darga in the
Tumkur Taluk, and to
request that you will be
so good as to stay execution
of your order appealed
against pending the
final disposal of the
appeal petition by Govt.
(2) The report called
for may kindly be
submitted so as to reach
this office not later
than a month from
the date of the receipt
of this communication.

I have &c.

20.10.23.

for Secretary.

List of enclosures.

Copied by

Examined by

WD 0563—GPB—2,500—27-7-22

SUBJECT ..... 2 DK

Diary No. of letter replied to _____

Muzrai Secretariat

( )

the 192 .

Section

File No

Serial No.

No. 562

Date of issue 24.10.23.

Signed by [illegible]

To

Endorsement from
to Syed Peer Gayab-
Sha Khadri and others
with ref to Tech. petitions
regd nos 394 and 395
appealing against the
Inam Comm. rejec-
ting the peti-
tions for
removal of the Pat
from the Pooja-

pertaining to the civil
Cause entered in Nesarmedu
Darga in the Numbers
Table,

In reply, the ~~petitioner~~
appellants are informed
that a reply with
records has been
called for from the
Inferior Court who has
been requested to stay
execution of his order
appealed against pending
disposal of the appeal
by Govt.

B. O.

20 10 22

Dist. Revenue Court

20/10/22

Copied by

Examined by

WD 0563- GPB—2 500—27 7 22

No. 606 f 13-24
one file
15558

Office of the Muzrai Commissioner in Mysore-

Dated Bangalore, 3rd December 1923.

From

K. Chandy, Esquire., P.A.,
Muzrai Commissioner in Mysore,
Bangalore.

To

K. V. Anantaraman, Esquire., B.A.,
Offg.Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department.

Muz. 98-23-3.

Sir,

Adverting to your letter No.561/Muz.98-23-2 dated 24th October 1923 calling for a report on the appeal petition of Syed Peer Gayeb - Sha Khadri and others appealing against my order directing the removal of the appellant from the Pateli office of Kesarmadu Inam village, -- Urdugere Hobli Tumkur Taluk, endowed to the Darga at the place, I have the honor to submit herewith the records received from the Deputy --- Commissioner, Tumkur District, together with this office file R.Dis.No. 150 dated 30th June 1923 and to state that on a petition No.2172 from one Syed Mohamed Sha Khadri, complaining of mismanagement of the ---- affairs of the Darga by the appellant and forwarded to the Deputy Commissioner Tumkur District for inquiry and report with Muzrai Secretary's letter No.3952/Muz.524-20 dated 15th May 1921 the Deputy Commissioner (Mr. Mecci) personally inquired into the matter and submitted a ---- detailed report in his No.H.C.38/21-22/one file, dated 16th April 1923 enclosed in this office File) and recommended the removal of Syed Peer Gayeb Sha Khadri on the ground that he was unpoular and his appoint-

1.Syed Mohamed Sha Khadri (the petitioner) 2.Syed Peer Gayeb Sha Khadri (the appellant) 3.Syed Mohadin Badsha Khadri 4.Syed Hussain Badsha Khadri 5.Syed Amir Badsha Khasri	ment as Patel was ----- contested by his elder brother the petitioner

and, that in his stead one Syed Mohadin Badsha Kadri (the 3rd candidate who secured the largest number of votes among the five marginally --- noted candidates may be appointed as manager of the Darga.

2. The parties were given a hearing on the 11th June 1923 and the orders appealed against were passed.

3. In persuance of instructions contained in the letter under reply the execution of the orders of this office has been held in abeyance pending disposal of the appeal by Government.

4. The appeal memo received with your letter under advertance is also returned herewith.

I have the honor to be,

S i r,

Your most obedient servant,

K Chandy

Mukral Commissioner.

KSR.

406 4-23-4 one file

Office of the Muzrai Commissioner in Mysore.

Muz. 98-23-4

Dated Bangalore, 2nd January 1924.

From

K. Chandy, Esquire., B.A.,

Muzrai Commissioner in Mysore,

Bangalore.

To

K. V. Anantaraman, Esquire., B.A.,

Offg. Secretary to the Government of

His Highness the Maharaja of Mysore.

Revenue Department.

Sir,

In continuation of this office C.No.406/23-24 dated 3rd December 1923 submitting records relating to the appeal before Government, of Syed Peer Gybe Sha Khadri and others against this office order re the appointment of Syed Mohadeen Sha Khadri as manager of the Darga at -- Kesaramadu village, Urdugere Hobli, Tumkur Taluk, I have the honor to submit herewith copy of Tumkur District Deputy Commissioner's letter No.H.C.38/21-22 dated 5th December 1923 together with its enclosures regarding the recovery of kandayam from the Hissedars, who are in -- possession and enjoyment of lands attached to the Darga.

I have the honor to be,

Sir,

Your most obedient servant,

K Chandy

Muzrai Commissioner.

KSR.

Letter No.H.C.38/21-22 dated 5th December 1923 from the Deputy Commissioner Tumkur District to the Muzrai Commissioner in Mysore.

"In continuation of this officeletter No.H.C.38/21-22 dated 16th November 1923, submitting the vernacular record connected with the --- appointment of Syed Mohadeen Bad Sha Khadri as the Manager of the Durga at Kesaramadu etc., I have the honor to state that the said Syed Mohadeen Bad Sha Khadri has presented a petition to this office stating (in the 3rd para of the same) that no final orders have been passed regarding the recovery of Kandayam from the Hissedars, who are in possession and enjoyment of lands attached to the Durga.

2. In the 10th para of my letter No.H.C.38/2-22 dated 14th April 1923, addressed to you on the subject, I have proposed that instead of requiring them to pay the full assessment on their holdings, a reasonable sum may be required to be paid by the persons responsible for the upkeep of the tank and the Durga. In this connection, I request you to submit to Government the enclosed petition with your recommendation for final orders on the subject.

3. The petition is herein enclosed for kind reference

"C o p y"

Fr. Muzrai Commissioner. 4./11

KSR.

W D 2584—GPB—2,000—7-4-16

Before the Government of His Highness the Maharaja of Mysore.

Inuz. APPEAL No. 5 OF 1923-4.

APPELLANTS

Syed Peer Gayab Sha Khadri (2) Syed Amir Bad Sha Khadri, and others Syed Mahomed Sha Khadri (3)

RESPONDENT.

Syed Mohadin Bad Sha Khadri

SUBJECT.

Appointment of a Manager to the Darga in Kesarmadu Village, Tumkur Taluk

Order

The case was heard on 14th April 1924, and the parties were present in person. Messrs. B. V. Vijaya Deva and Shamanna for the appellants, and Mr. H. V. Narayana Rao for the respondent were present and heard.

Both the appeals — that of Syed Peer Gayab Sha Khadri and Syed Amir Bad Sha Khadri

Sha Khadri, purport to
have been filed against
the order of the Muz. Cour.
Dy 16th June 1923 appointing
The Respondent Syed Mohadin
Bad Sha Khadri as Manager
of the Dargah in Kesarmadu.
A perusal of the Muz.
Court's order referred to above
goes. however, to show that
The Respt. was ordered
by the Muz. Cour. to be
appointed to the management
not of the Dargah, but of
the lands endowed to it.
That it was not the intention
of the Muz. Cour. to appoint the
Respondent to the management
of the Dargah is evident also
from the subsequent correspondence.
between him and the
Dy. Cour. in which the Dy.
Cour sought the order
of the Muznai Cour.

MUZRAI SECRETARIAT.

(*Continuation sheet draft form.*)

for the appointment of
the respdt to the manage-
ment of the Dargah also,
and the Muz. Comr Sanctd
it as a temporary measure,
pending the submission of
certain proposals called
for from the Dy. Comr.
His Latest order is not
however the subject
matter of this appeal
and there is therefore no
need to go into the merits
of it, especially as it is
in the nature of an ad-
interim and temporary
order passed by the Muz.
Comr on the report of
the Dy. Comr without
notice to the appellant
and it is open to him to
apply to him for a
reversal of it.

Hence So far as the

WD 0565—GPB—2000—28-7-22

The Insp. Comm's. order of
16th June 1923 against which
the present appeals have
been preferred, is concerned.
The appellants have no
cause for complaint and
the appeal has therefore
to be rejected.

Govt. would desire
however to point out that
as the lands belonging to
the Dargah are under Govt.
management, it is not
understood that is meant by
appointing any person
to the management of
the lands. So long as
the management of the
lands vests in Govt.
the power of leasing out
or otherwise disposing of
the produce of the lands
in the best interests of
the inst. will have to be

Muz. 6]

MUZRAI SECRETARIAT.

(*Continuation sheet draft form*)

exercised by the local officers, and it is presumed that this is being done and that the work is not entrusted to any private individual.

Memo. No. 15 [illegible]

Copy to the Muz. Case with the records received with his letter No. C. 406 dt 3-1-1941

By order

V. Iyer

Dy Secretary.

Rev. Dept.

21/4/41

WD 0,65—GPB—2000—28 7 22